

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DUANE ELIAM : CIVIL ACTION  
v. :  
JON FISHER, et al. : No. 13-3072

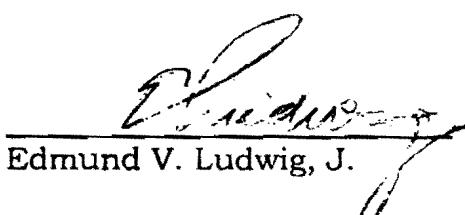
FILED FEB 25 2014

**ORDER**

AND NOW, this 25<sup>th</sup> day of February, 2014, upon careful and independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa, to which no objections were filed:

1. The Report and Recommendation is approved and adopted;
2. The petition for writ of habeas corpus is denied with prejudice;
3. There is no cause to issue a certificate of appealability;
4. The Clerk of Court shall mark this case closed for statistical purposes.

BY THE COURT:

  
Edmund V. Ludwig, Jr.

**ENTERED**

FEB 25 2014

**CLERK OF COURT**

cc: LKC